

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Assaf Govari Confirmation No: 4469
Serial No.: 10/807,979 Group No.: 3739
Filed: March 24, 2004 Examiner: Peter J. Vrettakos
For: PHASED-ARRAY FOR TISSUE TREATMENT

I hereby certify that this correspondence is being transmitted via
The Office electronic filing system in accordance with 37 CFR 1.6(a)(4)

July 8, 2008
(Date of Transmission)

Louis J. Capezzuto
(Name of applicant, assignee, or Registered Representative)

/Louis J. Capezzuto/
(Signature)

July 8, 2008
(Date of Signature)

Commissioner For Patents
Box DAC
Alexandria, VA 22313-1450

PETITION FOR REVIVAL OF AN APPLICATION
FOR PATENT ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

Note: A grantable petition requires the following items:

1. Petition fee;
2. Reply and/or Issue fee;
3. Terminal disclaimer with disclaimer fee—required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
4. Statement that the entire delay was unintentional.

1. Petition fee

- ☐ Small entity fee \$_____ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.
☒ Other than small entity fee \$1,500.00 (37 CFR 1.17(m))

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office Action in the form of an Appeal Brief (identify type of reply):

- ☐ has been filed previously on _____
☒ is enclosed herewith.

B. The issue fee of \$_____

- ☐ has been paid previously on _____
☐ is enclosed herewith.

3. Terminal disclaimer with disclaimer fee

- ☐ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$_____ for a small entity or \$_____ for other than a small entity disclaiming the required period of time is enclosed herewith (See PTO/SB/63).

STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE. The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III) (C) and (D))]

- ☐ Charge the petition fee of \$1,500.00 to Account _____ and for any additional fee required. A duplicate of this petition is attached.
☐ A check in the sum of \$_____ is attached.
☐ Charge Account _____ for any additional fee required.
☒ The appropriate Fees associated with this Petition and any fees, which may be owed in connection with this filing are being submitted to the USPTO via e-filing.

/Louis J. Capezzuto/
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- Enclosures: ☐ Fee Payment
☒ Reply (Appeal Brief, Notice of Appeal, Petition to Extend and Information Disclosure Statement)
☐ Terminal Disclaimer Form
☐ Additional Sheets containing statements establishing unintentional delay
☒ Other: Response to Notice of Abandonment